SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or-PCT international filing date of this application.

Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
Q8/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Bianchi, Timothy E. Billig, Patrick G. Billion, Richard E. Brennan, Thomas F. Burke, John E. Clark, Barbara J. Drvia, Michael A.	Reg. No. 24,916 Reg. No. 39,610 Reg. No. 38,080 Reg. No. 32,836 Reg. No. 35,075 Reg. No. 35,836 Reg. No. 38,107 Reg. No. 39,662	Embretson, Janet E. Fogg, David N. Forrest, Bradley A. Holloway, Sheryl S. Kalinowski, Leonard J. Klima-Silberg, Catherine I. Kluth, Daniel J. Lemaire, Charles A.	Reg. No. 39,665 Reg. No. 35,138 Reg. No. 30,837 Reg. No. 37,850 Reg. No. 24,207 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 36,198	Lempia, Bryan J. Litman, Mark A. Lundberg, Steven W. Schwegman, Micheal L. Slifer, Russell D. Viksnins, Ann S. Woessner, Warren D.	Reg. No. 39,746 Reg. No. 26,390 Reg. No. 30,568 Reg. No. 25,816 Reg. No. 39,838 Reg. No. 37,748 Reg. No. 30,440
--	--	--	--	--	---

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)339-0331

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor Citizenship: Post Office Address:	or number 1: Mark J. Dapper United States of America 6556 Baywood Lane	Residence: Cincinnati, OH	
Signature:	Cincinnati, OH 45224 Mark . Dapper	Date:	97 ENVIEW CO
Full Name of joint inventor Citizenship: Post Office Address:	or number 2: Michael J. Geile United States of America 316 Miami Valley Drive Loveland, OH 45140	Residence: Loveland, OH Date: 1/22/97	ONE TO SEE
Signature: Full Name of joint inventor Citizenship: Post Office Address:	Michael J. Geile or number 3: Terrance J. Hill United States of America 1765 Garrett House Lane Fairfield, OH 45014	Residence: Fairfield, OH	
Signature:	Terrance J. Hill	Date: 1 / 2 3	97
Full Name of joint invent Crizenship: Post Office Address:	or number 4: Harold A. Roberts United States of America 7017 Beacon Circle Eden Prairie, MN 55346	Residence: Edea Prairie, MN	•
Signature:	Harold A. Roberts	Date:	

Page	:	٠,	ı n
rest	J	en:	"

Serval New CENTY, FREE Filing Date June 28, 1996 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon: Brien D. Anderson Full Name of joint inventor number 5: Residence: Plymouth, MN United States of America Citizenship: 11450 - 50th Place North Post Office Address: Plymouth, MN 55442 Signature: Brian D. Anderson Full Name of joint inventor number 6: Jeffrey Brede Residence: Eden Prairie. MN United States of America Citizenship: 2073 Curtis Lane Post Office Address: Eden Prairie, MN 55347 Signature: Jeffrey Brede C Full Name of joint inventor number 7: Mark S. Wadman Residence: Eden Prairie, MN Chizenship: United States of America 4416 Fairfax Hill Dr. Post Office Address:

X Additional inventors are being named on separately numbered sheets, anached hereto.

Savage, MN 55378

Robert J. Kirscht

United States of America

13106 Vernon Avenue South

Mark S. Wadman

Robert J. Kirscht

Residence: Savage, MN

Date:

(har Ref. 500.623151

_Signature:

Ertizenship:

Signature:

Post Office Address:

Full Name of joint inventor number 8:

ſШ

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Citizenship: Post Office Address:	United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Brian D. Anderson	Date:	
Full Name of joint invent Citizenship: Post Office Address:	tor number 6: <u>Jeffrey Brede</u> United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Edea Prairie, MN	
id Signature:		Date:	
	Jeffrey Brede		
Full Name of joint invent	tor number 7: Mark S. Wadman	n in the post-rates	
ost Office Address:	United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
ost Office Address:	8956 Braxton Drive	Residence: Eden Prairie, MIN Date:	
Post Office Address:	8956 Braxton Drive		
Post Office Address: Signature: Line Full Name of joint invented the street of the	8956 Braxton Drive Eden Prairie, MN 55347 Mark S. Wadman		,
Citizenship: Post Office Address: Signature: Full Name of joint invented the control of the cont	8956 Braxton Drive Eden Prairie, MN 55347 Mark S. Wadman tor number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South	Date:	

Full Name of joint invent Citizenship: Post Office Address:	or number 9: James J. Herrmann United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	·
Signature:	James J. Herrmann	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 10: <u>Michael J. Fort</u> United States of America 1045 Northview Park Eagan, MN 55123	Residence: Eagaa, MN	
Signature:	Michael J. Fort	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 11: Steven P. Buska United States of America 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN	
Signature:	Steven P. Buska	Date:	
Full Name of joint invent Citizenship: Post Office Address:	tor number 12: Jeff Solum United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Jeff Solum	Date:	
X Additional inventors a	re being named on separately numbered she	ets, attached hereto.	

Page	5	of	10

belief are believed to be t		knowledge are true and that all statements made on nade with the knowledge that willful false statemen 1001 of Title 18 of the United States Code and that it issued thereon.	its and the like so
Full Name of joint invent Citizenship: Post Office Address:	or number 13: <u>Debra Lea Enfield</u> United States of America 464 Ridge Court Chaska, MN 55318	Residence: Chaska, MN	
Signature:		Date:	
Signature.	Debra Lea Enfield		
Citizenship: Post Office Address:	tor number 14: Darrell Berg United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
am ∳ 4		Date:	
Signature:	Darrell Berg		
Full Name of joint inventions of the property	tor number 15: Thomas Smirelski United States of America 230 Waterford Drive Lake Zurich, IL 60047	Residence: Lake Zurich, IL	
E		Date:	
Signature:	Thomas Smigelski		
Li	tor number 16: Thomas C. Tucker United States of America 205 Silver Creek Trail	Residence: Chapel Hill, NC	·

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Thomas C. Tucker

Chapel Hill, NC 27514

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

Signature:

ъ	01	10

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Duce: June 28, 1996		r
belief are believed to be	J EL short those statements were m	nowledge are true and that all statements made on information and lade with the knowledge that willful false statements and the like so 1001 of Title 18 of the United States Code and that such willful false issued thereon.
Full Name of joint inver Citizenship: Post Office Address:	ntor number 17: Joe Hall United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN
Signature:	Joe Hall	Date:
Full Name of joint inver Citizenship: Post Office Address:	ntor number 18: John M. Lognian United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN
Signature:	John M. Logajan	Date:
Full Name of joint inventions of joint inventions of joint inventions. Post Office Address:	ntor number 19: Somvay Boualouang United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN
Signature:	Somvay Boualouang	Date:
Full Name of joint inventions of Inventi	ntor number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN

Date:

Page	7	of	10

Serial No. 08/673,002

Filing Date: June 28, 1996

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 21: Mark D. Elpers

Full Name of joint inve	ntor number 21: Mark D. Elpera United States of America	Residence: Elk River, MN	
Citizenship: Post Office Address:	16303 205th Avenue NW Elk River, MN 55330		
Signature:		Date:	
	Mark D. Elpers		
Full Name of joint inve	ntor number 22 : Matt Downs		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street		
	Bloomington, MN 55435		
Signature:		Date:	
-	Matt Downs		
5			
	ul us 60 s. Warmen Parrie	•	
	ntor number 23 : <u>Tammy Ferris</u> United States of America	Residence: Bloomington, MN	
Citizenship: Post Office Address:	4900 West 78th Street		
	Bloomington, MN 55435		
[. !	•	_	
Signature:		Date:	
= - ===================================	Tammy Ferris		
등 # - 			
•	entor number 24 : Adam Opoczynski		
Citizenship:	United States of America	Residence: Plano, TX	
Post Office Address:	3705 Roxbury Lane		
te Tu	Plano, TX 75025		
		Date:	
Signature:	Adam Opoczynski		
•	, com operation		

X Additional inventors are being named on separately numbered sheets, attached hereto.

Our Ref. 500.623US1

Page	1	of	10

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996		Page 8 of
I hereby declare belief are believed to be made are punishable by	and and further that these statements were m	nowledge are true and that all statements made on information and tade with the knowledge that willful false statements and the like so 1001 of Title 18 of the United States Code and that such willful false tissued thereon.
Full Name of joint inven Citizenship: Post Office Address:	tor number 25: <u>David S. Russeli</u> United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minneapolis, MN
Signature:	David S. Russell	Date:
Full Name of joint inven Citizenship: Post Office Address:	tor number 26: <u>Calvia G. Nelson</u> United States of America 26190 Birch Bluff Road Shorewood, MN 55331	Residence: Shorewood, MN
Signature:	Calvin G. Nelson	Date:
Full Name of joint inven Citizenship: Post Office Address:	tor number 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT
Signature:	Niranjan R. Samant	Date:
Full Name of joint inventications Citizenship: Post Office Address:	tor number 28: Joseph F. Chiappetta United States of America 6 Ranch Drive Trumbull, CT 06611	Residence: Trumbull, CT
Signature:	·	Date:

-	9	of	1	•
7	"	OI.	ı	u

Full Name of joint invent Citizenship: Post Office Address:	United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:	·	Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

§ 1.56 Duty to disclose information material to patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information (a) material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- ļź Under this section, information is material to patentability when it is not cumulative to information already of record or being (b) made of record in the application, and

 (1) It establishes, by itsel

 (2) It refutes, or is incons
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - Asserting an argument of patentability. (ii)

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, (d) agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

IJ

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

[] Application Number	Filing Date	Status
		Allowed
08/311,964	September 26, 1994	• • • • • • • • • • • • • • • • • • • •
08/457,317	June 1, 1995	Pending
	June 1, 1995	Pending
087457,295 087650,408	May 20, 1996	Pending
î.		

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogs, David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billie, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
	Reg. No. 32,836	Holloway, Sheryi S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Billion, Richard E.		** *	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.		•	Reg. No. 37,748
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine 1.	Reg. No. 40,052	Viksnins, Ann S.	•
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Drvia, Michael A.	Reg. No. 39,662	Lemaire, Charles A.	Reg. No. 36,198		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)339-0331

	Page	2	of	10
--	------	---	----	----

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996			Page 2 of 10
belief are believed to be	must and further that these statements were	n knowledge are true and that all statements made on made with the knowledge that willful false statemen in 1001 of Title 18 of the United States Code and that ent issued thereon.	its and the like so
Full Name of joint inven Citizenship: Post Office Address:	tor number 1: Mark J. Dapper United States of America 6558 Baywood Lane Cincinnati, OH 45224	Residence: Cincinnati, OH	
Signature:	Mark J. Dapper	Date:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 2: <u>Michael J. Geile</u> United States of America 316 Miami Valley Drive Loveland, OH 45140	Residence: Loveland, OH	
Signature:	Michael J. Geile	Dete:	
Eill Name of joint inven Gitizenship: Post Office Address:	tor number 3: Terrance J. Hill United States of America 1765 Garrett House Lane Fairfield, OH 45014	Residence: Fairfield, OH	·
Signature:	Terrance J. Hill	Date:	<u> </u>
Full Name of joint inven Citizenship: Post Office Address:	tor number 4: Harold A. Roberts United States of America 7017 Beacon Circle Eden Prairie, MN 55346	Residence: Eden Prairie, MN	

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Harold A. Roberts

Signature:

•	-	3	of	10
	-50		O1	11

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996		rages of 10
belief are believed to be	mie: and further that these statements were r	knowledge are true and that all statements made on information and made with the knowledge that willful false statements and the like so 1001 of Title 18 of the United States Code and that such willful false at issued thereon.
Full Name of joint inver Citizenship: Post Office Address:	United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Ptymouth, MN
Signature:	Brian D. Anderson	Date:
Full Name of joint inver Citizenship: Post Office Address:	ntor number 6: <u>Jeffrey Brede</u> United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Edea Prairie, MN
Signature:	Jeffrey Brede	Date:
Full Name of joint inver Citizenship: Post Office Address:	ntor number 7: <u>Mark S. Wadman</u> United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN
Signature:	Mark S. Wadman	Date:
Full Name of joint inver Gitizenship: Post Office Address:	ntor number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN

Robert J. Kirscht

Signature:

-	4	۸f	10
766	•	Οſ	10

Full Name of joint invento Citizenship: Post Office Address:	or number 9: James J. Herrmann United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	
Signature:	James J. Herrmann	Dete:	
Full Name of joint invento Citizenship: Post Office Address:	or number 10: Michael J. Fort United States of America 1045 Northview Park Eagan, MN 55123	Residence: Eagan, MN	
Signature:	Michael J. Fort	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 11: Steven P. Buska United States of America 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN Date:	
Signature:	Steven P. Buska		
T and the second	or number 12: <u>Jeff Solum</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	·
Signature:	Jeff Solum	Date:	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996			rage 7 01 10
belief are believed to be	that all statements made herein of my own true; and further that these statements were a fine or imprisonment, or both, under Section ze the validity of the application or any pater	1001 of Title 18 of the United States Code	ATTENDED TO THE LIVE 20
Full Name of joint inven Citizenship: Post Office Address:	tor number 13: <u>Debra Lea Enfield</u> United States of America 464 Ridge Court Chaska, MN 55318	Residence: Chaska, MN	
Signature:	Debra Lea Enfield	Date:	
Full Name of joint inver Citizenship: Post Office Address:	utor number 14: Darrell Berg United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Darrell Berg	Date:	
Full Name of joint inver Gitizenship: Eost Office Address:	tor number 15: Thomas Smigelski United States of America 230 Waterford Drive Lake Zurich, IL 60047	Residence: Lake Zurich, IL	
Signature:	Thomas Smigelski	Date:	
LA	utor number 16: Thomas C. Tucker United States of America 205 Silver Creek Trail Chapel Hill NC 27514	Residence: Chapel Hill, NC	

Signature:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 17: Joe Hall Residence: Bloomington, MN United States of America Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Date: Signature: Joe Hall Full Name of joint inventor number 18: John M. Lornian Residence: Ardea Hills, MN **United States of America** Citizenship: 4248 Hamline Avenue Post Office Address: Arden Hills, MN 55112 Date: Signature: John M. Logajan Full Name of joint inventor number 19: Somvay Boualouang Residence: Bloomington, MN **United States of America** Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Date: Signature: Somvay Boualouang Full Name of joint inventor number 20: Heng Lou Residence: Bloomington, MN United States of America Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 fli Date: Signature: Heng Lou

Page 7 of 10	Page	7	of	10
--------------	------	---	----	----

Our Ref. 500.623US1 Serial No. 08/673,002		Page 7	of 10
Filing Date: June 28, 1996			
I hereby declare belief are believed to be to made are runishable by f	man and further that these statements were	knowledge are true and that all statements made on information an made with the knowledge that willful false statements and the like an 1001 of Title 18 of the United States Code and that such willful faint issued thereon.	10
Full Name of joint invent Citizenship: Post Office Address:	United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elk River, MN	
Signature:		Date:	
Signature.	Mark D. Elpers		
Full Name of joint invent Citizenship: Post Office Address:	tor number 22: Matt Downs United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Šignature:		Date:	
	Matt Downs		
	tor number 23: Tammy Ferris United States of America	Residence: Bloomington, MN	
Gitizenship: Post Office Address:	4900 West 78th Street Bloomington, MN 55435	teratection: procuments	
<u>L</u>	Bioomington, MN 33433		
Signature:		Date:	
	Tammy Ferris		
•			
hii : Cull Name of injet inven	tor number 24: Adam Opoczynski		
Enti Name of Joint inventage. Citizenship:	United States of America	Residence: Plano, TX	
Post Office Address:	3705 Roxbury Lane Piano, TX 75025		
Signature:		Date:	
	Adam Opoczynski		

-		-6	
rest	•	0[10

Serial No. 08/673,002 Filing Date: June 28, 1996			
I hereby declare belief are believed to be		nowledge are true and that all statements made on in the with the knowledge that willful false statements 001 of Title 18 of the United States Code and that stated thereon.	THE FIRE SO
Full Name of joint inven Citizenship: Post Office Address:	tor number 25: <u>David S. Russell</u> United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minnenpolis, MN	
Signature:	David S. Russell	Dete:	· · · · · · · · · · · · · · · · · · ·
Full Name of joint inven Citizenship: Post Office Address:	tor number 26: <u>Calvin G. Nelson</u> United States of America 26190 Birch Bluff Road Shorewood, MN 55331	Residence: Shorewood, MIN	,
Signature:	Calvin G. Nelson	Date:	
.= = =	tor number 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT	
Signature:		Date:	
	Niranjan R. Samant		
Full Name of joint inven Citizenship: Post Office Address:	tor number 28: Joseph F. Chiappetta United States of America 6 Ranch Drive Trumbull, CT 06611	Residence: Trumbull, CT	

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Joseph F. Chiappetta

Signature:

Page	9	of	10

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996		7 age 9 01 10
I hereby declare belief are believed to be to made are punishable by fi	are and fresher that these statements were t	knowledge are true and that all statements made on information and made with the knowledge that willful false statements and the like so a 1001 of Title 18 of the United States Code and that such willful false int issued thereon.
Full Name of joint invent Citizenship: Post Office Address:	or number 29: <u>Scott Sarnikowski</u> United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN
Signature:	Scott Sarnikowski	Dete:
Full Name of inventor: Citizenship: Post Office Address:		Residence:
Signature:		Date:
Full Name of inventor: Citizenship: Post Office Address:		Residence:
Li Signature: ————————————————————————————————————		Date:
Full Name of inventor: Citizenship: Post Office Address:	· •	Residence:

Signature:

Date:

W

§ 1.56 Duty to disclose information material to patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being (b) made of record in the application, and IJ =
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - Asserting an argument of patentability. (ii)
- A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.
- Ü Individuals associated with the filing or prosecution of a patent application within the meaning of this section are: [[(c)
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, (d) agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673.002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed. I hereby claim the benefit under

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filling date of the prior application and the national for PCT international filling date of this application.

Application Number 08/311,964 08/457,317 08/457,295	Filing Date September 26, 1994 June 1, 1995 June 1, 1995	Status Allowed Pending Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Bianchi, Timothy E. Billig, Patrick, G. Billion, Richard E. Brennan, Thomas F. Burke, John E. Clark, Barbara J. Dryja, Michael A.	Reg. No. 24,916 Reg. No. 39,610 Reg. No. 38,080 Reg. No. 32,836 Reg. No. 35,075 Reg. No. 35,836 Reg. No. 38,107 Reg. No. 39,662	Embretson, Janet E. Fogg, David N. Forrest, Bradley A. Holloway, Sheryl S. Kalinowski, Leonard J. Klima-Silberg, Catherine I. Kluth, Daniel J. Lemaire, Charles A.	Reg. No. 39,665 Reg. No. 35,138 Reg. No. 30,837 Reg. No. 37,850 Reg. No. 24,207 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 36,198	Lempia, Bryan J. Litman, Mark A. Lundberg, Steven W. Schwegman, Micheal L. Slifer, Russell D. Viksnins, Ann S. Woessner, Warren D.	Reg. No. 39,746 Reg. No. 26,390 Reg. No. 30,568 Reg. No. 25,816 Reg. No. 39,838 Reg. No. 37,748 Reg. No. 30,440
---	--	--	--	--	---

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)339-0331

	Page	2	of	10
--	------	---	----	----

Filing Date: June 28, 1996			
belief are believed to be to	d £b shot shoop statements WCSS	knowledge are true and that all statements made made with the knowledge that willful false state a 1001 of Title 18 of the United States Code and not issued thereon.	their an are inc 20
Full Name of joint invent Citizenship: Post Office Address:	or number 1: Mark J. Dapper United States of America 6558 Baywood Lane Cincinnati, OH 45224	Residence: Cincinnati, OH	
Signature:		Dete:	
	Mark J. Dapper		
Full Name of joint invent Citizenship: Post Office Address:	or number 2: Michael J. Geile United States of America 316 Miami Valley Drive Loveland, OH 45140	Residence: Loveland, OH	
Signature:		Date:	
Signature:	Michael J. Geile		
Full Name of joint invent Citizenship: Post Office Address:	or number 3: Terrance J. Hill United States of America 1765 Garrett House Lane Fairfield, OH 45014	Residence: Fairfield, OH	
Signature:		Date:	
	Terrance J. Hill		
i. Full Name of joint invent	for number 4: Harold A. Roberts		
Citizenship:	United States of America	Residence: Eden Prairie, MN	
Post Office Address:	7017 Beacon Circle Eden Prairie, MN 55346		
Signature:		Date:	
	Harold A. Roberts		

Our R				
Serial	No. 0	2/67 3	,00	2
Filing	Date:	June	28,	1996

Full Name of joint invent Citizenship: Post Office Address:	or number 5: Brian D. Anderson United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Brian D. Anderson	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 6: <u>Jeffrey Brede</u> United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Edea Prairie, MN	
Signature:		Date:	
	Jeffrey Brede		
Fill Name of joint invent Citizenship: Post Office Address:	or number 7: <u>Mark S. Wadman</u> United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
Signature:	Mark S. Wadman	Date:	
Eull Name of joint invent Citizenship: Post Office Address:	tor number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN	
Signature:		Date:	
	Robert J. Kirscht		

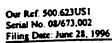
	_	4	of		4
-	σ,	•	Οŧ	ŧ	١

Full Name of joint invent Citizenship: Post Office Address:	or number 9: James J. Herrmann United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	
Signature:	James J. Herrmann	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 10: Michael J. Fort United States of America 1045 Northview Park Eagan, MN 55123	Residence: Eagan, MN	
Signature:		Date:	
Signature:	Michael J. Fort		
Citizenship: Post Office Address:	or number 11: Steven P. Buska United States of America 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN	
Signature:	Steven P. Buska		
Full Name of joint invent Citizenship: Post Office Address:	or number 12: <u>Jeff Solum</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	
31E11010101	Jeff Solum		

Pag	t	5	of	١	1

Our Ref. 500.623US1 Serial No. 08/673,002		Fage 3 0()
elief are believed to be tru	and £umber that these statements were i	knowledge are true and that all statements made on information and made with the knowledge that willful false statements and the like so 1001 of Title 18 of the United States Code and that such willful false at issued thereon.
Full Name of joint inventor Citizenship: Post Office Address:	r number 13: <u>Debra Lea Enfield</u> United States of America 464 Ridge Court Chaska, MN 55318	Residence: Chaska, MN
Signature:	Debra Lea Enfield	Date:
Full Name of joint inventor Citizenship: Post Office Address:	r number 14: <u>Darrell Berg</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN
ignature:	Darrell Berg	Date:
Citizenship: Post Office Address:	r number 15: Thomas Smigelski United States of America 230 Waterford Drive Lake Zurich, IL 60047	Residence: Lake Zurich, IL
Signature:	Thomas Smigelski	
Eull Name of joint inventor Citizenship: Post Office Address:	r number 16: Thomas C. Tucker United States of America 205 Silver Creek Trail Chapel Hill, NC 27514	Residence: Chapel Hill, NC
Signature:	Thomas C. Tucker	Date:





Citizenship: Post Office Address:	number 17: <u>Joe Hall</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	oe Hali	Dete:	
Full Name of joint inventor a Citizenship: Post Office Address:	number 18: John M. Lognian United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN	
Signature:	ohn M. Logajan	Date:	
21	number 19: Somvay Boualouang United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature: S	omvay Boualouang	Date:	
Full Name of joint inventor Citizenship: Post Office Address:	number 20: Heng Lon United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	leng Lou	Date:	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor Citizenship: Post Office Address:	number 21: Mark D. Eipers United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elk River, MN	
Signature:	Mark D. Elpers	Dete:/21 /	(11)
Full Name of joint inventor Citizenship: Post Office Address:	number 22: <u>Matt Downs</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	English Change and
Signature: Max	Matt Downs	Dette: 1-21-97	ENGRALON (S)
Full Name of joint inventor Citizenship: Post Office Address:	number 23: Tammy Ferris United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	_
	Tammy Ferris	Date:	
Full Name of joint inventor Citizenship: Post Office Address:	number 24: Adam Opoczynski United States of America 3705 Roxbury Lane Plano, TX 75025	Residence: Plano, TX	
Signature:	Adam Opoczynski	Date:	
			-

I hereby declare that all statements made berein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Citizenship:	or number 21: Mark D. Elpers United States of America 16303 205th Avenue NW	Residence: Elk River, MN	
Post Office Address: Signature:	Elk River, MN 55330 Mark D. Elpers	Date:	7
Full Name of joint invent Citizenship: Post Office Address:	tor number 22: Matt Downs United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
i.		Dete:	·
Signature:	Matt Downs		
Full Name of joint invention Critizenship: Post Office Address:	tor number 23: Tammy Ferris United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	97
Signature:	Tammy Peris	Dete:	
Full Name of joint inven Citizenship: Post Office Address:	tor number 24: Adam Opoczynski United States of America 3705 Roxbury Lane Plano, TX 75025	Residence: Plano, TX	
Signature:		Date:	
	Adam Opoczynski		
			_

	Page	8	of	1	0
--	------	---	----	---	---

Full Name of joint invento Citizenship: Post Office Address:	r number 25: <u>David S. Rassell</u> United States of America 5145 Luverne Avenue Minnespolis, MN 55419	Residence: Minneapolis, MN	
Signature:	David S. Russell	Date:	-
Full Name of joint invento Citizenship: Post Office Address:	r number 26: <u>Calvin G. Nelson</u> United States of America 26190 Birch Bluff Road Shorewood, MN 55331	Residence: Shorewood, MN	
Signature:	Calvin G. Nelson	Date:	<u> </u>
Full Name of joint invento Citizenship: Post Office Address:	r number 27: <u>Niranian R. Samant</u> <u>United States of America</u> /~0: 229 Ridgefield Drive	Residence: Middletown, CT	
Signature:	Middletown, CT 06547 Niranjan R. Samant	Date:	
<u>.</u>	Or number 28: Joseph F. Chiappetta United States of America 6 Ranch Drive Trumbull, CT 06611	Residence: Trumbull, CT	gerja Heriolika

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

FEE 7 01 1	Page	9	of	10
------------	------	---	----	----

Our R	ef. 500.623US1	
	No. 08/673,002	
Filine	Date: June 28, 1996	

Full Name of joint inven Citizenship: Post Office Address:	tor number 29: Scott Saraikowski United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Dete:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	•
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:	·	Date:	

ķ

IJ

fu

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of spatentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on
https://linewide.com/html///
html// html//

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

la La La

ΓLI

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Forg. David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryl S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Dryja, Michael A.	Reg. No. 39,662	Lemaire, Charles A.	Reg. No. 36,198		-

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)339-0331

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventu Citizenship: Post Office Address:	or number 1: Mark J. Dapper United States of America 6558 Baywood Lane Cincinnati, OH 45224	Residence: Cincinnati, OH	٠.
Signature:	Mark J. Dapper	Dete:	
Full Name of joint inventor Citizenship: Post Office Address:	or number 2: Michael J. Geile United States of America 316 Miami Valley Drive Loveland, OH 45140	Residence: Loveland, OH	-
Signature:		Date:	·
	Michael J. Geile		
Full Name of joint invent Citizenship: Post Office Address:	or number 3: Terrance J. Hill United States of America 1765 Garrett House Lane Fairfield, OH 45014	Residence: Fairfield, OH	
Signature:	Terrance J. Hill	Date:	
Full Name of joint invent Citizenship: Post Office Address:	United States of America 7017 Beacon Circle	Residence: Eden Prairie, MN	OF THE LAND
Signature:	Eden Prairie, MN 55346 - Harold A. Roberts	Date: 1/2//9	77

Full Name of joint inventor na Citizenship: Post Office Address:	umber 5: <u>Brian D. Anderson</u> United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	OHMA TELEFIED
Signature: Bu	ian D. Anderson	Dete: 1/24/9	<u> </u>
Full Name of joint inventor n Citizenship: Post Office Address:	United States of America 8073 Curio Lane	Residence: Eden Prairie, MN	TO FURNISH MARKET F. 6886 F. J. T. STORAGO A CO.
Signature:	Fren Prairie, MN 95347	Dete: 1/22/97	QRIMULE G
Full Name of joint inventor n Citizenship: Post Office Address:	Number 7: Mark S. Wadman United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
Signature:	lark S. Wadman	Date:	
Full Name of joint inventor E Citizenship: Post Office Address:	number 8: Robert J. Kiracht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN	TO O JOHN MINT OF PERSON AND THE SERVICE
Signature:	obert J. Kinscht	Date:	97 ON MODELLETS
X Additional inventors are b	eing named on separately numbered she	ets, attached hereto.	_

Full Name of joint inventor a Citizenship: Post Office Address:	number 9: James J. Herrmann United States of America 1894 Sunrise Court	Residence: Eagan, MN	i in ang mg g (B) 1 kDBN 600
Signature:	Eagan, MN/55122 Messare Light J. Herrmann	Dete: 1/23/97	ON TO G
Full Name of joint inventor of Citizenship: Post Office Address:	number 10: Michael J. Fort United States of America 1045 Northview Park Eggan, MN 55123	Residence: Eagan, MN	TANAMOR (S) LEA L CED Ondrod W
Signature:	Michael J. Fort	Dete: 1/22/9-	
Full Name of joint inventor Citizenship: Post Office Address:	number 11: Steven P. Buska United States of America 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN	non majorina (in (3) (desale) The Option
Signature:	Steven P. Buska	Date:	Z
Full Name of joint inventor Citizenship: Post Office Address:	number 12: Jeff Solum United States of America 4900 West 78th Street A Bloomington, MN 55435	Residence: Bloomington, MN	JA TRAMO F (S) C ELLET ON MUCCO
Signature:	est Solum	Date:	<u> </u>
X Additional inventors are	being named on separately numbered she	eets, attached hereto.	

ı	Sep.	5	of	1	

Our Ref. 5 Serial No. Filing Date	23US1 73,002 ne 28, 1996	Page 5 of 1
belief an	reby declare that all statements made herein of my own knowledge are lieved to be true; and further that these statements were made with the hishable by fine or imprisonment, or both, under Section 1001 of Title hay jeopardize the validity of the application or any patent issued there	knowledge that willful false statements and the like so 18 of the United States Code and that such willful false

Full Name of joint inventional Citizenship: Post Office Address:	ntor number 13: <u>Debra Lea Enfield</u> United States of America 464 Ridge Court Chaska, MN 55318	Residence: Chaska, MN	
Signature:	Debra Lea Enfield	Date:	
Full Name of joint invectitizenship: Post Office Address:	ntor number 14: Darrell Berg United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	— ;::::::::::::::::::::::::::::::::::::
Signature:	Darrell Berg	Dete: 1/12/97	7184 18 July 1
Full Name of joint inve Citizenship: Post Office Address:	ntor number 15: Thomas Smirelski United States of America 230 Waterford Drive Lake Zurich, IL 60047	Residence: Lake Zurich, IL	
Signature:	Thomas Smigelski	Date:	
å	ntor number 16: Thomas C. Tucker United States of America 205 Silver Creek Trail Chapel Hill, NC 27514	Residence: Chapel Hill, NC	-
Signature:	Thomas C. Tucker	Date:	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	Full Name of joint inventor n Citizenship: Post Office Address:	umber 17: Joe Hall United States of America 4900 West 78th Street Blogmington, MN 55435	Residence: Bloomington, MN	er mystyd a <mark>th</mark> dellan 1900
	Signature:	Ze full e Hall	Date: //21/97	Service And Andrews (Andrews Constitution of the Andrews C
	Full Name of joint inventor in Citizenship: Post Office Address:	umber 18: John M. Logaian United States of America 4248 Hamline Avenue	Residence: Arden Hills, MN	
***************************************	Signature:	Arden Hills, MN 55112	Dete:	7
N	Full Name of joint inventor a Citizenship: Post Office Address:	number 19: <u>Somvay Bonalonang</u> United States of America 4900 West 78th Street	Residence: Bloomington, MN	
:::: :::::	Signature:	Bloomington, MN 55435 Sinway Convince omvay Boualoung	Date:	37
	Full Name of joint inventor is Citizenship: Post Office Address:	Number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	CONTRACTOR AND
	Signature:	leng tou	Date:	97
			a awakad kama	·

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such will full false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such will full false made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such will full false states the false false

Full Name of joint inventor Citizenship: Post Office Address:	number 21: Mark D. Elpera United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elk River, MN	
Signature:	Mark D. Elpers	Date:	
Full Name of joint invento Citizenship: Post Office Address:	r number 22: Matt Downs United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	· •
Signature:		Date:	<u> </u>
	Matt Downs		
Full Name of joint invento Eitizenship: Post Office Address:	or number 23: Tammy Ferris United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	
	Tammy Ferris		
Full Name of joint invent Gitizenship: Post Office Address:	or number 24: Adam Opoczynski United States of America 3705 Roxbury Lane Plano, TX 75025	Residence: Plano, TX	
Signature:		Date:	
Signature.	Adam Opoczynski	·	
			•

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

tor number 25: <u>David S. Rassell</u> United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minneapolis, MN	Office of the Control
David S. Russell	Dete: January	<i>22,19</i> 77
tor number 26: <u>Calvin G. Nelson</u> United States of America 26190 Birch Bluff Road Shorewood, MN 55331	Residence: Shorewood, MN	
	Date:	
Calvin G. Nelson		
utor number 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT	
Niranjan R. Samant	Date:	
-	Residence: Trumbull, CT Date:	
	S145 Luverne Avenue Minneapolis, MN 55419 David S. Russell Internumber 26: Calvin G. Nelson United States of America 26190 Birch Bluff Road Shorewood, MN 55331 Calvin G. Nelson Internumber 27: Niranian R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547 Niranjan R. Samant United States of America 6 Ranch Drive Trumbull, CT 06611	United States of America 5145 Luverne Avenue Minneapolis, MN 55419 David S. Russell David S. Russell David S. Russell Residence: Minneapolis, MN Date: David S. Russell Residence: Shorewood, MN Residence: Shorewood, MN Date: Calvin G. Nelson Calvin G. Nelson Date: Calvin G. Nelson Residence: Middletown, CT Date: Calvin G. Nelson Date: Calvin G. Nelson Nitranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547 Date: Nitranjan R. Samant United States of America 6 Ranch Drive Trumbull, CT 06611 Date: Date:

Page	9	of	10
------	---	----	----

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint invent Citizenship: Post Office Address:	or number 29: Scott Saraikowski United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	•
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

٦. LTI

€Ų

Ç L

ļ4

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by \$\frac{5}{9}\$ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced o attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office

 (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name: that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Filing Date	Status
08/311,964	September 26, 1994	Allowed
08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

F					
Anglin, J. Michael	Reg. No. 24,916	Embresson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogs. David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billie Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryt S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine 1.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Dryja, Michael A.	Reg. No. 39,662	Lemaire, Charles A.	Reg. No. 36,198	•	_
	1406. 140. 23,002				

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/ firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)339-0331

-	- 9		٠	^
-		of	ı	u

Our Ref. 500.623US1	. 4.20, 1
Serial No. 08/673,002	
Filing Date June 28, 1996	
the calculate short all extensions made herein of my own knowledge are true and that all statements made of	n information and

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: Mark J. Dapper United States of America Residence: Cincinnati. OH Citizenship: 6558 Baywood Lane Post Office Address: Cincinnati, OH 45224 Date: Signature: Mark J. Dapper Full Name of joint inventor number 2: Michael J. Geile Residence: Loveland, OH **United States of America** Citizenship: 316 Miami Valley Drive Post Office Address: Loveland, OH 45140 Signature: Date: Michael J. Geile C Full Name of joint inventor number 3: Terrance J. Hill Residence: Fairfield, OH **United States of America** Eftizenship: Post Office Address: 1765 Garrett House Lane Fairfield, OH 45014 L Date: Signature: Terrance J. Hill ۱., ا ļ έ止 Full Name of joint inventor number 4: Harold A. Roberts Residence: Eden Prairie, MN United States of America Citizenship: 7017 Beacon Circle Post Office Address: Eden Prairie, MN 55346

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Harold A. Roberts

Signature:

Our R	ef. 500).623	USI	
Cerial	No. 0	<i>U</i> 673	,00	2
Filing	Date	junc	28,	1990

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Statement may have	the validity of the application of any passes	•	
Full Name of joint inventor Citizenship: Post Office Address:	or number 5: Brian D. Anderson United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
		Date:	
Signature:	Brian D. Anderson		
Full Name of joint invent Citizenship: Post Office Address:	tor number 6: Jeffrey Brede United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
		Date:	
Signature:	Jeffrey Brede		
Full Name of joint inver Citizenship: Post Office Address:	8956 Braxton Drive	Residence: Eden Prairie, MN	
	Eden Prairie, MN 55347		
		Date:	
= Signature:	Mark S. Wadman		
Full Name of joint invented in the Citizenship: Post Office Address:	entor number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN	
÷ व्य	·	Date:	
Signature:	Robert J. Kirscht		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Citizenship: Post Office Address:	ntor number 9: James J. Herrmann United States of America 1894 Sunrise Court Eagan, MN 55122	Residence: Eagan, MN	
Signature:	James J. Herrmann	Dete:	
Full Name of joint inve Citizenship: Post Office Address:	ntor number 10: Michael J. Fort United States of America 1045 Northview Park Eagan, MN 55123	Residence: Eagan, MN	
Signature:	Michael J. Fort	Date:	
Full Name of joint inve Entizenship: Post Office Address: Signature:	United States of America 13370 Stanton Drive Minnetonka, MN 55305	Residence: Minnetonka, MN Date:	
Signature:	Steven P. Buska		
_	entor number 12: Jeff Solum United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Jeff Solum	Date:	

 1-847-884-0493	J.	1,1997	10:33	Pg:	3	10

Sertal No. 08/673,002 Filing Date: June 28, 1996			A
belief are believed to be	. must mad Corther that these statements were t	knowledge are true and that all statements made with the knowledge that willful false stat 1001 of Title 18 of the United States Code and issued thereon.	ements and the like so
Full Name of joint invo Citizenship: Post Office Address:	ntor number 13: <u>Debra Lea Enfield</u> United States of America 464 Ridge Court Chaska, MN 55318	Residence: Chaska, MN	
Signature:	Debra Lea Enfield	Dele:	
Full Name of joint inve Citizenship: Post Office Address:	ntor number 14: <u>Darrell Bare</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Darrell Borg	Dets:	
Full Name of joint inver Claizenship: Post Office Address:	ntor number 15: Thomas Smigelski United States of America 230 Waterford Drive 1.ake Zurich, IL 60047	Residence: Lake Zurich, IL	waran walan isa ili salah wa
Signature: IL	Thomas Smigelski	Dele: 1/29/96	
Citizenship: Post Office Address:	ntor number 16: Thomas C. Tucker United States of America 205 Silver Creek Trail Chapel Hill, NC 27514	Residence: Chapel Hill, NC	
U Signature:	Thomas C. Tucker	Date:	

_	-	_	
Page	•	~{	11
	•	v	• •

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996		· .	
belief are believed to be	and further that those statements were m	nowledge are true and that all statements made on informade with the knowledge that willful false statements and 1001 of Title 18 of the United States Code and that such issued thereon.	me mre 20
Full Name of joint inven Citizenship: Post Office Address:	tor number 17: <u>loe Hall</u> United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	
	Joe Hali		
Full Name of joint inven Citizenship: Post Office Address:	tor number 18: John M. Logaian United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Ardea Hills, MN	
Signature:		Date:	
[m]	John M. Logajan		
Full Name of joint inven Citizenship: Post Office Address:	tor number 19: Somyay Boualouang United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:		Date:	
	Somvay Boualouang		
Full Name of joint inven Citizenship: Post Office Address:	tor number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Heng Lou

Signature:

Our Ref. 500.623US1 Serial No. 08/673,002 Filling Date: June 28, 1996		<u> </u>	
belief are believed to be to	t c _t _ at an all and explorments Were	i knowledge are true and that all statements made of made with the knowledge that willful false statement in 1001 of Title 18 of the United States Code and the ent issued thereon.	IID WIG RIC INC 30
Full Name of joint invent Citizenship: Post Office Address:	or number 21: Mark D. Elpers United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elk River, MN	
6:		Date:	
Signature:	Mark D. Elpers		
Full Name of joint invent Citizenship: Post Office Address:	or number 22: Matt Downs United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Li		Date:	
Signature:	Matt Downs	Date.	
	tor number 23: Tammy Ferris United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
		Date:	
Signature:	Tammy Ferris		

Residence: Plano, TX

X Additional inventors are being named on separately numbered sheets, attached hereto.

United States of America 3705 Roxbury Lane Plano, TX 75025

Full Name of joint inventor number 24: Adam Opoczynski

Citizenship:
Post Office Address:

Signature:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Citizenship: Post Office Address:	entor number 25: <u>David S. Russell</u> United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minnenpolis, MN	
Signature:	David S. Russell	Date:	
Full Name of joint inve Citizenship: Post Office Address:	entor number 26: Calvin G. Nelson United States of America 26190 Birch Bluff Road Shorewood, MN'55331	Residence: Shorewood, MIN	
Signature:		Date:	
	Calvin G. Nelson		
Citizenship: Post Office Address:	United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT	
Citizenship: Post Office Address:	United States of America 229 Ridgefield Drive	Residence: Middletown, CT Date:	
Citizenship: Post Office Address:	United States of America 229 Ridgefield Drive	-	
Citizenship: Post Office Address: Signature:	United States of America 229 Ridgefield Drive Middletown, CT 06547	-	
Eitizenship: Post Office Address: Signature: Full Name of joint investitizenship: Post Office Address:	United States of America 229 Ridgefield Drive Middletown, CT 06547 Niranjan R. Samant entor number 28: Joseph F. Chiappetta United States of America 6 Ranch Drive	Date:	

	Page	9	of	10	J
--	------	---	----	----	---

Our Ref. 500.623US	
Serial No. 08/673,00	2
Filing Date: June 28	1996

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint invent Citizenship: Post Office Address:	tor number 29: Scott Saraikowski United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	-
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	·
Šignature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

	es. 500			
Serial	No. 0	V673	,002	!
Filing	Dete:	June	28,	1996
			_	

W

i M

=

N

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national of PCT international filing date of this application.

Application Number	Filing Date	<u>Status</u>
08/311,964	September 26, 1994	Allowed
087457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogg, David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryl S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine 1.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Devia Michael A	Reg No 39 662	Lemaire Charles A	Reg. No. 36,198		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint invent Citizenship: Post Office Address:	or number 1: Mark J. Dapper United States of America 6558 Baywood Lane Cincinnati, OH 45224	Residence: Cincinnati, OH	·
Signature:	Mark J. Dapper	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 2: Michael J. Geile United States of America 316 Miami Valley Drive Loveland, OH 45140	Residence: Loveland, OH	
Signature:		Date:	
	Michael J. Geile		
Eall Name of joint invent Citizenship: Post Office Address:	tor number 3: <u>Terrance J. Hill</u> United States of America 1765 Garrett House Lane Fairfield, OH 45014	Residence: Fairfield, OH	
Signature:		Date:	
	Terrance J. Hill		
	tor number 4: Harold A. Roberts	_	
Eitizenship:	United States of America	Residence: Eden Prairie, MN	,
Post Office Address:	7017 Beacon Circle Eden Prairie, MN 55346		
Signature:		Date:	
O.B	Harold A. Roberts		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

11430 - 50th Place North Plymouth, MN 55442		
n D. Anderson	Date:	
nber 6: <u>Jeffrey Brede</u> United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
	Date:	
ey Brede		
		_
nber 7: Mark S. Wadman United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
	Date:	
k S. Wadman		
nber 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN	
	Date:	
ert J. Kirscht		
	n D. Anderson Therefore Brede United States of America 8073 Curtis Lane Eden Prairie, MN 55347 They Brede Therefore Brede	Date: In D. Anderson Residence: Eden Prairie, MN Soft States of America Residence: Eden Prairie, MN In Date: In

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Fuli Name of joint inventor number 9: James J. Herrmann
Citizenship: United States of America Residence: Eagan, MN
Post Office Address: 1894 Sunrise Court

Post Office Address:	1894 Sunrise Court		
	Eagan, MN 55122		
Signature:		Date:	<u> </u>
	James J. Herrmann		
Full Name of joint inventional Citizenship: Post Office Address:	ntor number 10: Michael J. Fort United States of America 1045 Northview Park Eagan, MN 55123	Residence: Eagan, MN	
Signature:		Date:	
j.	Michael J. Fort	•	
Full Name of joint inve	ntor number 11: Steven P. Buska	Davidson Mismatonko MN	
Citizenship: Post Office Address:	United States of America 13370 Stanton Drive	Residence: Minnetonka, MN	•
Post Office Address:	Minnetonka, MN 55305		
	,		
Signature:		Date:	
=	Steven P. Buska		
Lill Name of joint inve	ntor number 12: <u>Jeff Solum</u>		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street	-	
i	Bloomington, MN 55435		
14		Date	
Signature:	Jeff Solum	Date:	
	Jen Solum		

Ш

Signature:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 13: Debra Lea Enfield United States of America Residence: Chaska, MN Citizenship: 464 Ridge Court Post Office Address: Chaska, MN 55318 Date: Signature: Debra Lea Enfield Full Name of joint inventor number 14: Darrell Berg Residence: Bloomington, MN United States of America Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Signature: ļ.di Darrell Berg Full Name of joint inventor number 15: Thomas Smigelski Residence: Lake Zurich, IL Citizenship: United States of America 230 Waterford Drive Post Office Address: Lake Zurich, IL 60047 I Date: Signature: Thomas Smigelski C Ŀ Full Name of joint inventor number 16: Thomas C. Tucker Residence: Chapel Hill, NC United States of America Citizenship: 205 Silver Creek Trail Post Office Address:

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Thomas C. Tucker

Chapel Hill, NC 27514

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint invent Citizenship: Post Office Address:	or number 17: Joe Hall United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Joe Hali	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 18: John M. Logaian United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN	- .
Signature:	John M. Logajan	Date:	·
Full Name of joint invent Citizenship: Post Office Address:	tor number 19: Somyay Boualouang United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	Somvay Boualouang	Date:	·
Citizenship: Post Office Address:	tor number 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	-
Signature:	Heng Lou	Date:	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: Mark D. Elpers	Full Name of joint inve Citizenship: Post Office Address:	ntor number 21: Mark D. Elpers United States of America 16303 205th Avenue NW Elk River, MN 55330	Residence: Elk River, MN	•
Citizenship: United States of America 4900 West 78th Street Bloomington, MN 55435 Signature:	Signature:	Mark D. Elpers	Date:	
Matt Downs Matt Downs Matt Downs	Citizenship:	United States of America 4900 West 78th Street	Residence: Bloomington, MN	<u>.</u> .
Füll Name of joint inventor number 23: Tammy Ferris Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Tammy Ferris Tammy Ferris Pull Name of joint inventor number 24: Adam Opoczynski Citizenship: United States of America Residence: Plano, TX Post Office Address: 3705 Roxbury Lane Plano, TX 75025 Signature: Date:	Signature:		Date:	
Füll Name of joint inventor number 23: Tammy Ferris Citizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Tammy Ferris Tammy Ferris Pull Name of joint inventor number 24: Adam Opoczynski Citizenship: United States of America Residence: Plano, TX Post Office Address: 3705 Roxbury Lane Plano, TX 75025 Signature: Date:	þá	Matt Downs		
Fill Name of joint inventor number 23: Tammy Ferris Citizenship: Post Office Address: Bloomington, MN 55435 Signature: Tammy Ferris Full Name of joint inventor number 24: Adam Opoczynski Citizenship: United States of America Post Office Address: Tammy Ferris Full Name of joint inventor number 24: Adam Opoczynski Citizenship: United States of America Post Office Address: 3705 Roxbury Lane Plano, TX 75025 Signature: Date:				·
Signature: Tammy Ferris Fall Name of joint inventor number 24: Adam Opoczynski Citizenship: Post Office Address: Plano, TX 75025 Signature: Date:	Full Name of joint inve Citizenship: Post Office Address:	United States of America 4900 West 78th Street	Residence: Bloomington, MN	
Tammy Ferris Image: Tammy Ferris	2 2		Date:	
Post Office Address: 3705 Roxbury Lane Plano, TX 75025 Plano, TX 75025 Plano Plano	2	Tammy Ferris		
Citizenship: United States of America Residence: Plano, TX Post Office Address: 3705 Roxbury Lane Plano, TX 75025 Signature: Date:	<u>ļ</u>			
Signature: Date:	Citizenship: Post Office Address:	United States of America 3705 Roxbury Lane	Residence: Plano, TX	
Signature.			Date:	
	Signature:	Adam Opoczynski		
				

_	_	_	_	
Page	x	٥f	1	ſ

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996			Page 8 of 10
belief are believed to be true;	and further that these statements were m	nowledge are true and that all statements made with the knowledge that willful false s 001 of Title 18 of the United States Code issued thereon.	tatements and the like so
Full Name of joint inventor n Citizenship: Post Office Address:	umber 25: David S. Russell United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minneapolis, MN	
Signature:		Date:	
	avid S. Russell		
Citizenship:	umber 26: Calvin G. Nelson United States of America	Residence: Shorewood, MN	
Post Office Address:	26190 Birch Bluff Road Shorewood, MN 55331	1	
- 	Alvin G. Nelson	Date: May	<u> 10, 1997</u> -
Full Name of joint inventor in Citizenship: Post Office Address:	umber 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT	
Signature:		Date:	
E 7	iranjan R. Samant		
Full Name of joint inventor r Citizenship: Post Office Address:	number 28: <u>Joseph F. Chiappetta</u> United States of America 6 Ranch Drive Trumbull, CT 06611	Residence: Trumbull, CT	
Signature:		Date:	
Jo	oseph F. Chiappetta		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint invent Citizenship: Post Office Address:	United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	

W

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

Aprima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application:
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28. 1996 as application serial no. 08/673.002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

<u>l</u>

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national of PCT international filing date of this application.

Application Number	Filing Date	<u>Status</u>
	September 26, 1994	Allowed
08/311,964 08/457,317	June 1, 1995	Pending
08/457,295	June 1, 1995	Pending
08/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

	Page	2	of	10
--	------	---	----	----

Serial No. 08/673,002 Filing Date: June 28, 1996 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: - Mark J. Dapper United States of America Residence: Cincinnati, OH Citizenship: 6558 Baywood Lane Post Office Address: Cincinnati, OH 45224 Signature: Mark J. Dapper Michael J. Geile Full Name of joint inventor number 2: Residence: Loveland, OH United States of America Citizenship: 316 Miami Valley Drive Post Office Address: Loveland, OH 45140 Date: Signature: Michael J. Geile ķ Full Name of joint inventor number 3: Terrance J. Hill Residence: Fairfield, OH United States of America Citizenship: 1765 Garrett House Lane Post Office Address: Fairfield, OH 45014 ١,, Date: Signature: Terrance J. Hill

Residence: Eden Prairie, MN

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Harold A. Roberts

Harold A. Roberts

United States of America

Eden Prairie, MN 55346

7017 Beacon Circle

Full Name of joint inventor number 4:

Citizenship:

Signature:

Post Office Address:

Our Ref. 500.623US1

Page	3	of	10
------	---	----	----

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996			Page 3 of 10
belief are believed to be made are punishable by	true; and further that these statements were r	knowledge are true and that all statements made a nade with the knowledge that willful false statem 1001 of Title 18 of the United States Code and to at issued thereon.	ents and the like so
Full Name of joint inver Citizenship: Post Office Address:	United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:		Date:	
organica.	Brian D. Anderson		
Full Name of joint inver Citizenship: Post Office Address:	ntor number 6: Jeffrey Brede United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
Signature:		Date:	
	Jeffrey Brede		
[] [] Euli Name of joint inver [Citizenship: Post Office Address:	ntor number 7: Mark S. Wadman United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
[Decir Fault, Mix 353 V		
Signature:		Date:	
55. 55. 655. 12. 655. 12. 655.	Mark S. Wadman		
Full Name of joint inver		Davidanas Savaga MN	
Citizenshin:	United States of America	Residence: Savage, MN	

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

Savage, MN 55378

Robert J. Kirscht

United States of America

13106 Vernon Avenue South

Citizenship: Post Office Address:

Signature:

TU

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 9: James J. Herrmann United States of America Residence: Eagan, MN Citizenship: 1894 Sunrise Court Post Office Address: Eagan, MN 55122 Date: Signature: James J. Herrmann Full Name of joint inventor number 10: Michael J. Fort **United States of America** Residence: Eagan, MN Citizenship: 1045 Northview Park Post Office Address: Eagan, MN 55123 Date: Signature: Michael J. Fort ļ Full Name of joint inventor number 11: Steven P. Buska Residence: Minnetonka, MN United States of America =€itizenship: 13370 Stanton Drive Post Office Address: Minnetonka, MN 55305 In Date: Signature: Steven P. Buska

Residence: Bloomington, MN

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

United States of America

Bloomington, MN 55435

4900 West 78th Street

Full Name of joint inventor number 12: Jeff Solum

Jeff Solum

Citizenship:

Signature:

O

Post Office Address:

_			
Page	>	10	ιυ

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 13: - Debra Lea Enfield United States of America Residence: Chaska, MN Citizenship: 464 Ridge Court Post Office Address: Chaska, MN 55318 Date: Signature: Debra Lea Enfield Full Name of joint inventor number 14: Darrell Berg Residence: Bloomington, MN United States of America Citizenship: Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Date: Signature: Darrell Berg Full Name of joint inventor number 15: Thomas Smigelski United States of America Residence: Lake Zurich, IL Citizenship: Post Office Address: 230 Waterford Drive Lake Zurich, IL 60047 C Signature: Date: Thomas Smigelski U Full Name of joint inventor number 16: Thomas C. Tucker Residence: Chapel Hill, NC Citizenship: United States of America 205 Silver Creek Trail Post Office Address: Chapel Hill, NC 27514 C Date: Signature: Thomas C. Tucker ļ.

X Additional inventors are being named on separately numbered sheets, attached hereto.

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

ļ.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: Joe Hall Full Name of joint inventor number 18: John M. Logaian Citizenship: United States of America Arden Hills, MN Signature: John M. Logajan John M. Logajan John M. Logajan John M. Logajan Citizenship: United States of America Arden Hills, MN John M. Logajan Citizenship: United States of America Arden Hills, MN Post Office Address: John M. Logajan Citizenship: United States of America Bloomington, MN Signature: Somvay Boualouang Full Name of joint inventor number 20: Heng Lou Citizenship: United States of America Bloomington, MN Residence: Bloomington, MN Residence: Bloomington, MN Date: Date: Date: Heng Lou Bloomington, MN Date:	Full Name of joint inver Citizenship: Post Office Address:	united States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Citizenship: United States of America 4248 Hamline Avenue Arden Hills, MN 55112 Signature: Date: John M. Logajan Date: John M. Logajan Citizenship: United States of America Residence: Arden Hills, MN 55112 Signature: Date: John M. Logajan Citizenship: United States of America Residence: Bloomington, MN 55435 Signature: Date: Somvay Boualouang Full Name of joint inventor number 20: Heng Lou Citizenship: United States of America Residence: Bloomington, MN 55435 Signature: Date: Somvay Boualouang Full Name of joint inventor number 20: Heng Lou Citizenship: United States of America Residence: Bloomington, MN 55435 Signature: Date: Date: Date: Date:	Signature:	Joe Hall	Date:	
John M. Logajan John M. Logajan	Citizenship:	United States of America 4248 Hamline Avenue	Residence: Arden Hills, MN	
Fill Name of joint inventor number 19: Somvay Boualouang Citizenship: United States of America Agou West 78th Street Bloomington, MN 55435 Signature: Date: Full Name of joint inventor number 20: Heng Lou Gitizenship: United States of America Residence: Bloomington, MN Gitizenship: United States of America Residence: Bloomington, MN Fost Office Address: 4900 West 78th Street Bloomington, MN 55435 Signature: Date:	Signature:	John M. Logaian	Date:	
Somvay Boualouang Full Name of joint inventor number 20: Heng Lou Gitizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Signature: Date:	Füll Name of joint inver Citizenship: Post Office Address:	United States of America 4900 West 78th Street	· ·	
Full Name of joint inventor number 20: Heng Lou Gitizenship: United States of America Residence: Bloomington, MN Post Office Address: 4900 West 78th Street Bloomington, MN 55435 Signature: Date:		Somvay Boualouang		
Signature: Date:	Full Name of joint inve Citizenship: Post Office Address:	United States of America 4900 West 78th Street	Residence: Bloomington, MN	
Leil Fon		Heng Lou	Date:	

FACE / UL II	Page	7	of	н
--------------	------	---	----	---

Serial No. 08/673,002 Filing Date: June 28, 1996 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 21: Mark D. Elpers Residence: Elk River, MN United States of America Citizenship: 16303 205th Avenue NW Post Office Address: Elk River, MN 55330 Date: Signature: Mark D. Elpers Full Name of joint inventor number 22: Matt Downs Residence: Bloomington, MN United States of America Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Date: Signature: Matt Downs = : 1 Full Name of joint inventor number 23: Tammy Ferris Residence: Bloomington, MN United States of America Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 ١٠٠ Signature: Tammy Ferris Full Name of joint inventor number 24: Adam Opoczynski Residence: Plano, TX United States of America Citizenship:

Date:

X Additional inventors are being named on separately numbered sheets, attached hereto.

3705 Roxbury Lane

Plano, TX 75025

Adam Opoczynski

Our Ref. 500.623US1

Post Office Address:

Signature:

Page	8	of	10

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inven Citizenship: Post Office Address:	utor number 25: David S. Russell United States of America 5145 Luverne Avenue Minneapolis, MN 55419	Residence: Minneapolis, MN	
Signature:	David S. Russell	Date:	
Full Name of joint inver Citizenship: Post Office Address:	ntor number 26: <u>Calvin G. Nelson</u> United States of America 26190 Birch Bluff Road Shorewood, MN 55331	Residence: Shorewood, MN	
Signature:	Calvin G. Nelson	Date:	
Citizenship: Post Office Address:	ntor number 27: Niranjan R. Samant United States of America 229 Ridgefield Drive Middletown, CT 06547	Residence: Middletown, CT Date:	-
Signature:	Niranjan R. Samant		_
Full Name of joint inver Citizenship: Post Office Address:	ntor number 28: <u>Joseph F. Chiappetta</u> United States of America 6 Ranch Drive Trumbull, CT 06611	Residence: Trumbull, CT	
Signature:		Date:	
<u>ļ.</u>	Joseph F. Chiappetta		
Additional inventors	are being named on separately numbered shee	ts, attached hereto.	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

	number 29: Scott Sarnikowski United States of America Residence: Plymouth, MN S'AN Joseph 13235 57th Avenue North 5347 SILVER POINT WAY	E CANA
Citizenship:	United States of America Residence: Plymouth, MD S'AN Jo. 43235 57th Avenue North 5347 SILVER POINT WAY	ie, ch
Post Office Address:	Dlymputh, NN 55417 SAN JOSE, CA 95138	
	1 405E, CA 75/50	
Signature:	74- Lundolli Date: 5/22/97	
	Scott Sarnikowski	
-		
Full Name of inventor:		
Citizenship:	Residence:	
Post Office Address:		
Signature:	Date:	
Signature.		
_		
		á
Full Name of inventor:		
Citizenship:	Residence:	
Post Office Address:		
Signature:	Date:	
Signature:		
ĮĮ.		
<u></u>		•
Full Name of inventor:		
Gitizenship:	Residence:	
Post Office Address:		
	Date:	
Signature:	Date.	

ļå

ļ.

ſΨ

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>COMMUNICATION SYSTEM WITH MULTICARRIER TELEPHONY TRANSPORT</u>.

The specification of which was filed on June 28, 1996 as application serial no. 08/673,002 and was amended on September 24, 1996.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (see page 10 attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, \$119/365 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such applications have been filed.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

No such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national for PCT international filing date of this application.

Application Number 08/311,964	Filing Date	Status
9 8/311,964	September 26, 1994	Allowed
■08/457,317	June 1, 1995	Pending
108/457,295	June 1, 1995	Pending
Q8/650,408	May 20, 1996	Pending

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Embretson, Janet E.	Reg. No. 39,665	Lempia, Bryan J.	Reg. No. 39,746
Bianchi, Timothy E.	Reg. No. 39,610	Fogg, David N.	Reg. No. 35,138	Litman, Mark A.	Reg. No. 26,390
Billig, Patrick G.	Reg. No. 38,080	Forrest, Bradley A.	Reg. No. 30,837	Lundberg, Steven W.	Reg. No. 30,568
Billion, Richard E.	Reg. No. 32,836	Holloway, Sheryl S.	Reg. No. 37,850	Schwegman, Micheal L.	Reg. No. 25,816
Brennan, Thomas F.	Reg. No. 35,075	Kalinowski, Leonard J.	Reg. No. 24,207	Slifer, Russell D.	Reg. No. 39,838
Burke, John E.	Reg. No. 35,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Viksnins, Ann S.	Reg. No. 37,748
Clark, Barbara J.	Reg. No. 38,107	Kluth, Daniel J.	Reg. No. 32,146	Woessner, Warren D.	Reg. No. 30,440
Drvia Michael A	Rep No 39 662	Lemaire, Charles A.	Reg. No. 36,198		, ,

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)339-0331

C

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: . Mark J. Dapper Residence: Cincinnati, OH United States of America Citizenship: 6558 Baywood Lane Post Office Address: Cincinnati, OH 45224 Date: Signature: Mark J. Dapper Full Name of joint inventor number 2: Michael J. Geile Residence: Loveland, OH United States of America Citizenship: 316 Miami Valley Drive Post Office Address: Loveland, OH 45140 Date: Signature: Michael J. Geile Full Name of joint inventor number 3: Terrance J. Hill United States of America Residence: Fairfield, OH Citizenship: 1765 Garrett House Lane Post Office Address: Fairfield, OH 45014 Signature: Date: Terrance J. Hill U إيد: Full Name of joint inventor number 4: Harold A. Roberts Residence: Eden Prairie, MN **United States of America** Citizenship: 7017 Beacon Circle Post Office Address: Eden Prairie, MN 55346 ű ļ. Signature: Date: Harold A. Roberts

Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inventor Citizenship: Post Office Address:	or number 5: • <u>Brian D. Anderson</u> United States of America 11430 - 50th Place North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Brian D. Anderson	Date:	<u>. </u>
Full Name of joint inventor Citizenship: Post Office Address:	or number 6: <u>Jeffrey Brede</u> United States of America 8073 Curtis Lane Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
Signature:	Jeffrey Brede	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 7: Mark S. Wadman United States of America 8956 Braxton Drive Eden Prairie, MN 55347	Residence: Eden Prairie, MN	
Signature:		Date:	
	Mark S. Wadman		
Fall Name of joint invent Citizenship: Post Office Address:	Or number 8: Robert J. Kirscht United States of America 13106 Vernon Avenue South Savage, MN 55378	Residence: Savage, MN	
Signature:		Date:	
ļå	Robert J. Kirscht		
Additional inventors as	re being named on separately numbered she	ets, attached hereto.	

Page	•	oſ	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 9: James J. Herrmann United States of America Residence: Eagan, MN Citizenship: 1894 Sunrise Court Post Office Address: Eagan, MN 55122 Date: Signature: James J. Herrmann Full Name of joint inventor number 10: Michael J. Fort United States of America Residence: Eagan, MN Citizenship: 1045 Northview Park Post Office Address: Eagan, MN 55123 Date: Signature: Michael J. Fort ₽₩ Full Name of joint inventor number 11: Steven P. Buska Residence: Minnetonka, MN United States of America Citizenship: 13370 Stanton Drive Post Office Address: Minnetonka, MN 55305 Ш ٠... Date: Signature: Steven P. Buska [L] Full Name of joint inventor number 12: Jeff Solum Residence: Bloomington, MN United States of America Citizenship: Post Office Address: 4900 West 78th Street Bloomington, MN 55435 14 Date: Signature: Jeff Solum

X Additional inventors are being named on separately numbered sheets, attached hereto.

Our Ref. 500.623US1 Serial No. 08/673,002 Filing Date: June 28, 1996

Signature:

į

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 13: Debra Lea Enfield Residence: Chaska, MN Citizenship: United States of America 464 Ridge Court Post Office Address: Chaska, MN 55318 Date: Signature: Debra Lea Enfield Full Name of joint inventor number 14: Darrell Berg Residence: Bloomington, MN United States of America Citizenship: 4900 West 78th Street Post Office Address: Bloomington, MN 55435 Date: Signature: Darrell Berg Full Name of joint inventor number 15: Thomas Smigelski United States of America Residence: Lake Zurich, IL Citizenship: 230 Waterford Drive Post Office Address: Lake Zurich, IL 60047 Signature: Date: Thomas Smigelski ĮЏ ١... Full Name of joint inventor number 16: Thomas C. Tucker Residence: Chapel Hill, NC United States of America Citizenship: 205 Silver Creek Trail Post Office Address: Chapel Hill, NC 27514

Date:

Additional inventors are being named on separately numbered sheets, attached hereto.

Thomas C. Tucker

	Bloomington, MN 55435		
Signature:		Date:	
Joe	Hail		
Full Name of joint inventor nur Citizenship: Post Office Address:	mber 18: John M. Logaian United States of America 4248 Hamline Avenue Arden Hills, MN 55112	Residence: Arden Hills, MN	
Signature:	n M. Logajan	Date:	
Citizenship: Post Office Address:	mber 19: Somvay Boualouang United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:Son	nvay Boualouang	Date:	
Full Name of joint inventor nu Citizenship: Post Office Address:	mber 20: Heng Lou United States of America 4900 West 78th Street Bloomington, MN 55435	Residence: Bloomington, MN	
Signature:	ng Lou	Date:	

Full Name of joint inve	ntor number 21 : - Mark D. Elpers		
Citizenship:	United States of America	Residence: Elk River, MN	
Post Office Address:	16303 205th Avenue NW		
	Elk River, MN 55330		
Signature:		Date:	
-	Mark D. Elpers		
Full Name of joint inve	ntor number 22 : Matt Downs		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street	• ,	
100.011.011.01	Bloomington, MN 55435		
		_	
Signature:		Date:	
	Matt Downs		
			•
	ntor number 23: Tammy Ferris		
Citizenship:	United States of America	Residence: Bloomington, MN	
Post Office Address:	4900 West 78th Street		
ļ.	Bloomington, MN 55435		
Signature:		Date:	
	Tammy Ferris		
### ###			•
hini Li			
Full Name of joint inve	ntor number 24: Adam Opoczynski		
Citizenship:	United States of America	Residence: Plano, TX	
Post Office Address:	3705 Roxbury Lane		
B	Plano, TX 75025		
7			
Signature:		Date:	····
<u></u>	Adam Opoczynski		
r- ļā			_
			,
X. Additional inventors	are being named on separately numbered she	ets, attached hereto.	
ili		•	

Page 8 of 10	Page	8	of	10
--------------	------	---	----	----

Serial No. 08/673,002 Filing Date: June 28, 1996 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 25: David S. Russell Residence: Minneapolis, MN **United States of America** Citizenship: 5145 Luverne Avenue Post Office Address: Minneapolis, MN 55419 Date: Signature: David S. Russell Full Name of joint inventor number 26: Calvin G. Nelson Residence: Shorewood, MN United States of America Citizenship: 26190 Birch Bluff Road Post Office Address: Shorewood, MN 55331 Date: Signature: Calvin G. Nelson Full Name of joint inventor number 27: Niranjan R. Samant Residence: Middletown, CT United States of America Citizenship: 229 Ridgefield Drive Post Office Address: Middletown, CT 06547 ļ÷ Date: Signature: Niranjan R. Samant _E W Full Name of joint inventor number 28: Joseph F. Chiappetta Citizenship: **United States of America** Residence: Trumbull, CT Post Office Address: 6 Ranch Drive Trumbull, CT 06611

Date:

Additional inventors are being named on separately numbered sheets, attached hereto.

Joseph F. Chiappetta

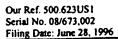
Our Ref. 500.623US1

Signature:

|-|-

Pas	¿C	9	of	10

Citizenship: Post Office Address:	United States of America 13235 57th Avenue North Plymouth, MN 55442	Residence: Plymouth, MN	
Signature:	Scott Sarnikowski	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	



IJ

٠..



§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- [4] (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Scott Sarnikowski et al.	
Unknown	APPOINTMENT OF
Herewith	ASSOCIATE ATTORNEY
Herewith	
Unknown	
100.070US30	
	Unknown Herewith Herewith Unknown

Box: Patent Application Commissioner for Patents Washington, DC 20231

The undersigned attorney of record in the above-identified patent application hereby appoints:

Daniel J. Polglaze	Reg. No. 39,801
Mark D. Kelly	Reg. No. 39,467
Thomas W. Leffert	Reg. No. 40,697
Tod A. Myrum	Reg. No. 42,922
Scott V. Lundberg	Reg. No. 41,958
Laura A. Ryan	Reg. No. 49,055
Andrew C. Walseth	Reg. No. 43,234

to act as an associate agent, and empowers the associate agent to receive all correspondence from the U.S. Patent and Trademark Office, to amend the specification and drawings, to prosecute the application; and ratifies any act done by the associate agent in respect of the application or any related application thereto.

Respectfully submitted,

Date: Jany 11, 2002

David N. Fogg Reg. No. 35,138

Attorneys for Applicant
Fogg Slifer Polglaze Leffert & Jay, P.A.
P.O. Box 581009
Minneapolis, MN 55458-1009
T - (612) 312-2200
F - (612) 312-2250

S/N Unknown PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Scott Sarnikowski et al.

Examiner: Unknown

Serial No.:

Unknown

Group Art Unit: Unknown

Filed:

Herewith

Docket: 500.623U12

Title: .

DATA TRANSMISSION OVER A COMMUNICATION NETWORK (as

amended)

PETITION TO DELETE INVENTORS UNDER 37 CFR 1.48(b)(1)

Assistant Commissioner for Patents Washington, D.C. 20231

Pursuant to 37 CFR 1.48(b)(1), Mark J. Dapper, Michael J. Geile, Terrance J. Hill, Harold A. Roberts, Brian D. Anderson, Jeffrey Brede, Mark S. Wadman, Robert J. Kirscht, James J. Herrmann, Michael J. Fort, Steven P. Buska, Jeff Solum, Debra Lea Enfield, Darrell Berg, Thomas Smigelski, Thomas C. Tucker, Joe Hall, Somvay Boualouong, Heng Lou, Mark D. Elpers, Matt Downs, Tammy Ferris, Adam Opoczynski, David S. Russell, Calvin G. Nelson, Niranjan R. Simant and Joseph F. Chiappetta should be deleted as inventors in the above-identified patent application because their invention is not recited in claims 2-37 of the above-identified patent application.

A check in the amount of \$130.00 is enclosed to cover the required petition fee. Please charge any additional fees or credit overpayment to Deposit Account 19-0743.

Respectfully submitted,

SCOTT SARNIKOWSKI ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 373-6920

Date Sprember 15, 1999

David N. Fogg Reg. No. 35,138

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EL273420830US

Date of Deposit: September 15, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Chris Hammond

Signature

Name.